

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION

FILED BY JE D.C.

05 MAY 31 PM 3:16

UNITED TECHNOLOGIES CORPORATION, )

Plaintiff, )

V. )

SIXTY-ONE INDUSTRIAL PARK, LTD., )  
ELIZABETH FEEZOR LAZAROV AND )  
DAVID BENJAMIN LAZAROV, )

Defendants. )

ROBERT L. WOLF  
CLERK, U.S. DIST. CT.  
W. D. OF TN. MEMPHIS

NO. 05-2224-Ma An

CONSENT RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are  
established as the final dates for:

**INITIAL DISCLOSURES (RULE 26(a)(1)):** June 22, 2005

**JOINING PARTIES:**

**Plaintiff:** August 15, 2005

**Defendants:** September 15, 2005

**AMENDING PLEADINGS:**

**Plaintiff:** August 15, 2005

**Defendants:** September 15, 2005

**COMPLETING ALL DISCOVERY:** February 15, 2006

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES, and**  
**REQUESTS FOR ADMISSION:** December 15, 2005

(b) **EXPERT DISCLOSURES (Rule 26(a)(2)):**

(i) **Plaintiff's Experts:** November 15, 2005

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(ii) **Defendants' Experts:** January 15, 2006

(iii) **Supplementation under Rule 26(e):** 10 days after Defendant's disclosure

(c) **DEPOSITIONS OF EXPERTS:** February 15, 2006

**FILING DISPOSITIVE MOTIONS:** March 15, 2006

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

(a) **Plaintiff:** 45 days before trial

(b) **Defendants:** 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 5 – 7 days. The presiding judge will set this matter for **JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

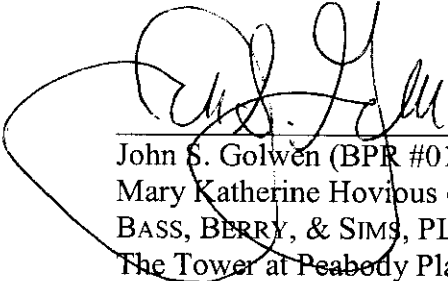
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

**IT IS SO ORDERED.**

  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

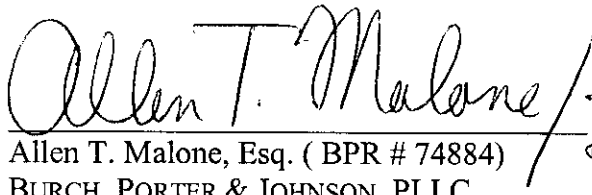
Date: May 27, 2005

CONSENTED TO:



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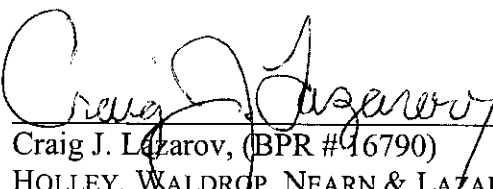
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## Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 2:05-CV-02224 was distributed by fax, mail, or direct printing on June 2, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT